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*Rosy Zion*  
Rosy Zion

Regarding the following Application:

Applicant(S): ANDERSON, Robert S. Examiner: JOHNSON III, H.  
et al.

Serial No./  
Patent No.: 10/767,459 Group Art Unit: 3739

Filed/Issued Date: January 30, 2004 Attorney Docket No.: P-6464-US2

Title: SYSTEM AND METHOD FOR TREATING TISSUE

**Please find:**

1. <input type="checkbox"/> Provisional Cover Sheet	9. <input type="checkbox"/> Response to Notice to File Missing Parts
2. <input type="checkbox"/> Utility Patent Application Transmittal	10. <input type="checkbox"/> Response to Notice of Incomplete Reply
3. <input type="checkbox"/> RCE Transmittal Sheet	11. <input type="checkbox"/> Request for Correction of Filing Receipt
4. <input type="checkbox"/> Fee Transmittal Sheet	12. <input checked="" type="checkbox"/> Information Disclosure Statement including: - Form PTO/SB/08 and references _____
5. <input type="checkbox"/> Patent Application Under 35 USC 111(a) <input type="checkbox"/> Provisional Patent Application Under 35 USC 111(b)	13. <input type="checkbox"/> Preliminary Amendment
6. <input type="checkbox"/> Transmittal Sheet for Entering National Phase Containing: ____ Pages of Specification ____ Pages of Claims ____ Page of Abstract ____ Pages of Formal Drawings ____ Pages of _____	14. <input type="checkbox"/> Response to Office Action dated _____
7. <input type="checkbox"/> Signed Declaration & Power of Attorney	15. <input type="checkbox"/> Petition for a One Month(s) Extension of Time
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9. <input type="checkbox"/> Recordation of Assign. Cover Sheet & Signed Assign.	17. <input type="checkbox"/> Issue Fee Transmittal <input type="checkbox"/> Publication Fee
	18. <input type="checkbox"/> Submission of Formal Drawings: Two sets of ____ Sheets containing Figx. _____
	19. <input type="checkbox"/> Copy of Priority Doc.
	20. <input type="checkbox"/> Claim for Convention Priority
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Attorney Docket No.: P-6464-US2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**RECEIVED  
CENTRAL FAX CENTER****FEB 08 2007**Applicant(s): **ANDERSON, Robert S. et al.**

Examiner:

**JOHNSON III, H.**Serial No.: **10/767,459**Group Art Unit: **3739**Filed: **January 30, 2004**Title: **SYSTEM AND METHOD FOR TREATING TISSUE**

Mail Stop Amendment  
 Commissioner for Patents  
 P. O. Box 1450  
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Sir:

**INFORMATION DISCLOSURE STATEMENT**

Pursuant to 37 C.F.R. §§1.56, 1.97 and 1.98, this Information Disclosure Statement includes Form PTO/SB/08:

1.  listing documents including patents, publications and other information for consideration by the Examiner, however, since the subject application was filed after June 30, 2003, copies of United States patents and/or United States patent application publications are not included in this information disclosure statement; and/or
2.  listing documents including patents, publications and other information that have been previously cited or submitted to the Patent Office in prior application U.S. Serial No. \_\_\_\_\_, filed \_\_\_\_\_ which is properly identified and relied on for an earlier effective filing date under 35 U.S.C. 120 for consideration by the Examiner; however, in accordance with 37 C.F.R. 1.98(d), copies of such documents are not included in this information disclosure statement; and/or
3.  listing documents including patents, publications, and other information for consideration by the Examiner, copies of which are included with this information disclosure statement;
4.  listing other information for the Examiner's consideration which was cited in a communication from a foreign patent office in a counterpart foreign application, a copy of which is included with this information disclosure statement.

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APPLICANTS: ANDERSON, Robert S. et al.  
SERIAL NO.: 10/767,459  
FILED: January 30, 2004  
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The information herein cited is only in fulfillment of Applicant(s) duty of candor in disclosing all information brought to Applicant(s) attention. This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art". If it should be determined that any of the listed documents do not constitute "prior art" under United States law, Applicant(s) reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant(s) further reserve(s) the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

In accordance with MPEP Sections 609 and 707.05(b), it is requested that each and every document cited (including any cited in applicant's specification which is not repeated on the attached Form PTO-1449) be given thorough consideration and that it be cited of record in the prosecution history of the present application by initialing on Form PTO-1449. Such initialing is requested even if the Examiner does not consider it to be prior art for any reason, or even if the Examiner does not believe that the guidelines for citation have been fully complied with. This is requested so that each document becomes listed on the face of the patent issuing on the present application and is evidence that the Examiner has considered the document.

This Information Disclosure Statement is being filed:

I)  Within three (3) months of filing the subject Application or entry of the subject Application into the national stage or before mailing of the first Office Action on the merits of the subject Application or a request for continued examination thereof, whichever event occurs last pursuant to of 37 C.F.R §1.97 (b); or

II)  After the period specified in (I) but before the mailing date of either a final Official Action under 37 C.F.R §1.113 or a notice of allowance under 37 C.F.R §1.311 whichever occurs first and;

1.  the undersigned hereby states that each item of information listed on the Form PTO-1449 was either (i) cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this Information Disclosure Statement or (ii) not cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, not known to any individual designated in §1.56(c) more than three (3) months prior to the filing of this information disclosure statement; or

APPLICANTS: ANDERSON, Robert S. et al.  
SERIAL NO.: 10/767,459  
FILED: January 30, 2004  
Page 3

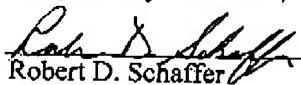
2.  the undersigned hereby authorizes the Patent Office to charge the fee in the amount of \$180.00 under 37 C.F.R. §1.17 (p) to Deposit Account 50-3355.

III)  After the period in (I) and (II) but before the payment of the issue fee and,

1. The undersigned hereby states:
  - a)  that each item of information cited on the form PTO-1449 was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three (3) months prior to the filing of this Information Disclosure Statement; or
  - b)  that no items of information contained in Form PTO-1449 was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement; and
2.  The undersigned hereby authorizes the Patent Office to charge the Petition fee in the Amount of \$180.00 under 37 C.F.R. §1.17 (p) to Deposit Account 50-3355.

Except for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-3355.

Respectfully submitted,

  
Robert D. Schaffer  
Attorney/Agent for Applicant(s)  
Registration No.

Dated: February 8, 2007

Pearl Cohen Zedek Latzer, LLP  
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Substitute for form 1449A/PTO		Complete if Known	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>		Application Number	10/767,459
(use as many sheets as necessary)		Filing Date	January 30, 2004
Sheet 1 of 1		First Named Inventor	ANDERSON, Robert S.
		Art Unit	3739
		Examiner Name	JOHNSON III, H.
		Attorney Docket Number	P-6464-US2

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
A	US-2005/0215887	US-	09-29-2005	SLATKINE	
	US-				

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>3</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear T <sup>6</sup>
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Examiner Signature	Date Considered
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The collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including, amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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